

Board of Selectmen
Tuesday, October 1, 2013

- 6:40 Executive Session – Real Property: Selectperson Wilkinson moved that the Board of Selectmen enter Executive Session under MGL Chapter 30A, §21(a) for Exception #6: to consider the purchase, exchange, lease or value of real property.” Roll call vote: Chairperson Battistelli – aye, Selectperson Lucas – aye, Selectperson Murphy – aye, Selectperson Sheedy – aye, Selectperson Wilkinson – aye, Vote: 5-0.

Executive Session
Motion Approved,
Roll Call Vote

Chairperson Battistelli: “We are entering executive session because, by not doing so, it would be detrimental to the Town’s negotiating position and we will reconvene in Open Session.”

- 7:35 Meeting Called to Order

Pledge of Allegiance and Moment of Silence

Selectperson Murphy moved to add a motion to tonight's agenda to correct the previously approved minutes for the 9/3/13 meeting, seconded by Selectperson Wilkinson, Vote: 5-0.

Motion to add
motion to tonight's
agenda
Motion Approved

Selectperson Murphy moved to approve the corrected minutes of September 3, 2013, seconded by Selectperson Wilkinson, Vote: 4-0. Selectperson Sheedy abstained as she was not present at the 9/3/13 meeting. The correction was Selectperson Murphy moved to add one regular meeting and one workshop to the Board of Selectmen’s schedule; the minutes reflected two workshops.

Correct minutes of
9/3/13 regarding
Holding an
additional meeting
and an additional
workshop
Motion Approved

Approval of Minutes of September 16, 2013: Selectperson Lucas moved that the Board of Selectmen approve the minutes of September 16, 2013, seconded by Selectperson Murphy, Vote: 3-0.

Amendments: on page 3, paragraph 7 under FEMA maps, correct to say Chairperson Battistelli stated that the FEMA maps affect other areas in town.

Approval of 9/16/13
Meeting as amended
Motion Approved

Approval of Minutes of September 17, 2013: Selectperson Lucas moved that the Board of Selectmen approve the minutes of September 17, 2013, seconded by Selectperson Murphy, Vote: 5-0.

Amendments: on page 6, 3rd paragraph, change to "Selectperson Lucas said when someone walks by the shop on Bearskin Neck they are not bothered by the music".

Approval of 9/17/13
Minutes as amended
Motion Approved

Approval of Minutes of September 21, 2013: Selectperson Wilkinson moved that the Board of Selectmen approve the minutes of September 17, 2013, seconded by Selectperson Murphy, Vote: 5-0.

Approval of 9/21/13
Meeting as amended
Motion approved

Approval of 9/21/13
Minutes
Continued

Amendments: On page 1 change to say that the Selectmen's office has, been working on the Long Beach lease issue for about two years. Clarify that the 5% was used as an example for the Long Beach document. On page 2, paragraph 6, clarify that Selectperson Wilkinson said she doesn't think the voters should be asked what they think; she thinks it is the Board of Selectmen's responsibility.

Approval of 9/24/13
Minutes
Motion Approved

Approval of Minutes of September 24, 2013: Selectperson Murphy moved that the Board of Selectmen approve the minutes of September 24, 2013, seconded by Selectperson Sheedy, Vote: 5-0.

Selectmen Updates and
Liaison Reports

Selectmen Updates and Liaison Reports: Selectperson Murphy said he has been working with the Superintendent's office regarding the paving on Summer Street. There was concern around the timing of the road construction but there were no problems. DPW Commissioner Reed stated that the road looks good and should be finished shortly. He said they really wanted to get the safety issues taken care of as quickly as possible.

Chairperson Battistelli said she attended the recent Legislative Breakfast in Danvers; she said DPW Commissioner Reed attended as well.

Public Comment Period

Public Comment Period: T. Arsenian, 95 Granite Street said he wrote a letter to the Gloucester Times on the Long Beach leases and read his letter at the meeting tonight. The letter asks that the Board of Selectmen rescind the decision of the 10 year lease; he is favor of a shorter lease.

Town Administrator's
Report

Town Administrator's Report: M. Vieira stated that over 300 people received flu shots at the recent clinics. He stated that the Rockport Treasurer/Collector has achieved her certification; now two of the town's financial officers are certified. He stated that the three police dispatch positions have been posted; resumes/applications are being accepted through 10/18/13. He stated that the payroll dates have been changed; memos were sent out to staff. Paydays are now Fridays not Thursdays. He said the FEMA map appeal is ongoing. Chairperson Battistelli stated that there was a meeting in Lynn; anyone could attend to see if their property was affected by the maps; FEMA consultants were present. She is speaking with the Conservation Commission to see about a similar public meeting in Rockport to answer residents' questions. The Building Inspector would be invited as well as representatives of the Conservation Commission.

T. Arsenian, 95 Granite Street, asked that the Board of Selectmen contact the public officials from Gloucester to see about a similar public meeting on Cape Ann.

7:40 Action List

HIPAA Agreement with MIIA: Selectperson Lucas moved that the Selectmen approve and sign a HIPAA Update and Business Associate Contract with MIIA Health Benefits Trust to ensure the Trust's safeguard of protected health information, seconded by Selectperson Wilkinson, Vote: 5-0.

HIPAA Agreement
with MIIA Health
Benefits Trust
Motion Approved

FEMA Reimbursement Contract: Selectperson Sheedy moved that the Selectmen approve and ask the Chairperson to sign a standard Massachusetts contract to receive storm damage reimbursements in the amount of \$51,052.06, seconded by Selectperson Wilkinson, Vote: 5-0. It was stated that the Town Administrator's office has the authority to sign some of these types of documents; these could be handled by the Town Administrator's Office. It was recommended that perhaps the Town Administrator's office could announce these types of documents to the Board rather than require a vote to approve.

FEMA
Reimbursement
Contract
Motion Approved

One Day Liquor License for the Harvestfest: Selectperson Wilkinson moved that the Selectmen approve and sign a One Day Liquor License for the Cape Ann Chamber of Commerce for the October 19, 2013 Harvestfest, seconded by Selectperson Sheedy, Vote: 5-0.

One Day Liquor
License for
HarvestFest
Motion Approved

Wine License for Rockport Music: Selectperson Murphy moved that the Selectmen approve a Charity Wine Auction License for Rockport Music for its "Jazz on the Rocks" fall gala and wine auction on October 12, 2013 and sign the required Form 43 for the ABCC, seconded by Selectperson Sheedy, Vote: 5-0.

Wine License for
Rockport Music
10/12/13
Motion Approved

Lease for 28 Long Beach: Selectperson Lucas moved that the Board of Selectmen approve and sign a lease for 28 Long Beach with Krista and Paul Mattuchio to reflect a transfer of ownership, seconded by Selectperson Murphy, Vote: 5-0.

Lease for 28 Long
Beach
Motion Approved

78 Long Beach Cottage Replacement: Selectperson Sheedy moved that the Board of Selectmen approve a cottage replacement at 78 Long Beach as depicted on plans developed by Siemaski and Verbridge, dated 9/19/13, and approved by the building inspector, seconded by Selectperson Murphy, Vote: 5-0.

78 Long Beach
Cottage Replacement
Motion Approved

Representatives from Siemaski and Verbridge presented the plans and offered to answer any questions. The cottage owners, Miguel and Kristina Martinez, were present also. The plan is to raise the structure and add a second floor within the roof. The plan keeps the same footprint, the same deck space, and the same porch space. This plan is on the agenda for the Conservation Commission tomorrow night.

Plowing Private Roads: No action is being taken on this item tonight; Selectperson Wilkinson said this will be on a subsequent agenda. Selectperson Murphy stated he is in favor of flashing lights and reverse 911 instead of the current parking ban.

Plowing Private
Roads
No action taken on
this.

8:00 Selectmen Briefing

Selectmen Briefing

Community House
Facilities Manager

Community House Facilities Manager: M. Vieira stated that the Town Administrator had a conversation with DPW Commissioner Chair Gardner and DPW Director Parisi; the DPW will take over this function. They want to simplify some of the rules. He said if the job description changes it will go before the Personnel Board and then the Board of Selectmen. Selectperson Murphy inquired when we expect this to be finalized; he said he'd like this to move along; it's been discussed for some time now.

8:10 Discussion Items

Discussion Items:

Long Beach Leases

Long Beach Leases: Chairperson Battistelli stated that it had been decided that the Long Beach leases would be on the agenda for upcoming Board of Selectmen meetings to be sure that if there was any information to share, it could be shared. She stated that we're still working on the appraisals of a sampling of the properties to expedite the process. The survey, seeking information from the cottage owners, will be going out soon to all Long Beach residents. M. Vieira said town hall is missing 42 e-mail addresses at this point. DPW Commissioner Reed said we need a chance to look at the beach and the seawall. Chairperson Battistelli said it can be frustrating because this is a complex issue and we can't control what's printed and what people are hearing. Selectperson Murphy said this will get done in a positive way for the beach goers, for the town, and for the cottage owners. Selectperson Wilkinson said we need to get all the facts out, perhaps write a letter to the Gloucester Times. If people disagree after all the accurate information is available, then that's alright.

Lee McNelly, 38 Old County Road, inquired if there was a target date for the award of the sediment transport study. DPW Commissioner Reed said perhaps two weeks.

J. Michaels, 22 Landmark Lane, questioned if the intention is to have new leases in place by 12/31/13. Chairperson Battistelli said it is the intention to have new leases in place by 12/31/13. She stated that in the 10 year lease vote, the existing leases can be extended for a period of time until financial information is available.

Kristina Martinez, 78 Long Beach, agreed that false information is being printed and circulated. She said she has been attending these meetings, then when she hears what occurred from other sources, it's not accurate.

Toby Arsenian, 95 Granite Street, said it's up to the Board of Selectmen to get the factual information out there.

Sandy Jacques, 93 Granite Street, said how about the weekly publication The Beacon. There are e-mails and things that could be sent out, maybe

progress reports because not everyone can come to these meetings. More timely dissemination of information needs to be figured out.

Ward Talbot, 34 Old County Road, questioned who will determine which properties will be part of the sampling to appraise. He said there's a huge difference between the front, second, and third rows.

Long Beach Leases

Selectmen Policies: This was put on the agenda to pull out the policies to be reviewed; the following policies were chosen:

Selectmen Policies

- Flag Protocols (new policy)
- Street Performers
- Alcohol Policy
- Executive Session
- Chapter 91
- Meetings of the Board of Selectmen
- Use of Town Owned Property
- Release of Executive Session Minutes
- Complaint Handling
- Welcome to Rockport Sign

9:00 Selectperson Murphy moved to adjourn, seconded by Selectperson Sheedy, Vote: 5-0

Warrant signed:

Warrant signed for the Fiscal Year 2013 Payroll and Expenses for the week of 10/3/13 in the amounts of \$480,152.94 and \$729,812.40 respectively.

Items Signed:

FEMA Contract Authorization

Alcohol Beverage Form 43, Rockport Music

Rockport HarvestFest

MIIA, HIPAA

Lease, Long Beach Lot #28